09:07am

From-SIMBAS LTD

TERMINAL DICCLAIMED TO OBVIATE A DOUBLE DATENTING

416595 7306

T-332 PAUG 1 1 2008

PTO/SB/26 (01-08)
Approved for use through 01/31/2008, OMB 0851-0031
U.S. Petent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Dockel Number (Optional)

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

REJECTION OVER A "PRIOR" PATENT	1038-1266 MIS:jb
In re Application of: Kenneth K. Sokoli	
Application No.: 10/620,686	
Filed: July 17, 2003	
FOR: BIODEGRADABLE TARGETABLE MICROPARTICLE DELIVERY SYSTEM	
The owner", Sanofi Pasteur Limited , of 100 percent interest in the except as provided below, the terminal part of the statutory term of any patent granted on the instantion the expiration date of the full statutory term prior patent No. 6,042,820 as the term of said and 173, and as the term of said prior patent is presently shortened by any terminal disclaimer. The organized on the Instant application shall be enforceable only for and during such period that it and the pagreement runs with any patent granted on the instant application and is binding upon the grantee, its so in making the above disclaimer, the owner does not disclaim the terminal part of the term of any patent would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of the patent is presently shortened by any terminal disclaimer," in the event that said prior patent later: expires for fallure to pay a maintenance fee; is held unenforceable; is found invalid by a court of competent jurisdiction; is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321; has all claims canceled by a reexamination cartificate; is reissued; or	prior patent is defined in 35 U.S.C. 154 wher hereby agrees that any patent so infor patent are commonly owned. This uccessors or assigns. It granted on the instant application that prior patent, "as the term of said prior
Check either box 1 or 2 below, if appropriate.	
1. For submissions on behalf of a business/organization (e.g., corporation, partnership, university etc.), the undersigned is empowered to act on behalf of the business/organization.	government agency,
I hereby declare that all statements made herein of my own knowledge are true and that all belief are believed to be true; and further that these statements were made with the knowledge that made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United Statements may jeopardize the validity of the application or any patent issued thereon.	wilful false statements and the like so.
2. The undersigned is an attorney or agent of record. Reg. No. 24,973	
· 1-2-1	August 11, 2008
Signature	Date
Michael I. Stewart Typed or printed name	
, ,	
-	(416) 849-8400 Telephone Number
Yerminal disclaimer fee under 37 CFR 1.20(d) included.	relephone indition
WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.	
*Statement under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the assignee (owner). Form PTO/SB/96 may be used for making this certification. See MPEP § 324.	

This collection of information is required by 37 CFR 1.321. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including genering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments including gamering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Petent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS D8/11/2008 HMRKZI1 00000064 ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

)8/11/<u>2008 HMARZII - 00000</u>062_19225<u>3 - 10020686 -</u>

2 FC 34644 date: 08/24/19096, HMARZI1 08/11/2008 HMARZII 08/11/2008 HMARZII 00000062 192253 10820686 02 PAGE94910* RCVD AFG/1992608 9:08:38 AM [Eastern Daylight Time] * SVR:USPTO-EFXRF-5/43 * DNIS:2738300 * CSID:4165957306 * DURATION (mm-ss):04-02 PAGE94910 * RCVD AFG/1992608 9:08:38 AM [Eastern Daylight Time] * SVR:USPTO-EFXRF-5/43 * DNIS:2738300 * CSID:4165957306 * DURATION (mm-ss):04-02